



CITY COUNCIL AGENDA REPORT

MEETING DATE: FEBRUARY 19, 2008

ITEM NUMBER:

SUBJECT: AUTHORIZATION OF REFUND REQUEST FOR THE WYNDHAM BOUTIQUE HOTEL PROJECT AT 3350 AVENUE OF THE ARTS

DATE: FEBRUARY 5, 2008

FROM: DEVELOPMENT SERVICES DEPARTMENT/PLANNING DIVISION

PRESENTATION BY: DONALD D. LAMM, AICP, DEPUTY CITY MANAGER/DEV. SVS DIRECTOR

FOR FURTHER INFORMATION CONTACT: DONALD D. LAMM, AICP, (714) 754-5270

RECOMMENDATION:

Authorize refunds in the amount of **\$92,923.19** to Makar Properties for unexpended funds in Developers' Trust Account No. 215520-701.

BACKGROUND:

Pursuant to a professional services agreement, developers are required to deposit funds for the cost of environmental consulting contracts into the Developers' Trust Account No. 215520-701. These funds are strictly used to complete environmental studies as set forth in the contract.

In February, 2007, City Council approved an environmental consulting contract to Bonterra Consulting, Inc. in the amount of \$234,545.00. This contract was for the preparation of an Environmental Impact Report for the Wyndham Boutique Hotel / High-Rise Residential project.

ANALYSIS:

Finance staff has reconciled the funds in the Developer's Trust Account to ensure accuracy of the refund amount. The environmental contract has been completed, and the remaining unexpended balance is to be refunded to the Developers pursuant to Council Policy 100-1 (Refund Request Form, Attachment 1).

ALTERNATIVES CONSIDERED:

This is an administrative transaction pursuant to Council Policy No. 100-1. Alternatives to this action would be inconsistent with the refund request procedures set forth in this Council Policy.

FISCAL REVIEW:

Fiscal review is not required.

LEGAL REVIEW:

Legal review is not required.

CONCLUSION

Pursuant to Council Policy 100-1, staff is requesting Council authorization of a refund request for unexpended contract funds in the amount of **\$92,923.19** for the Wyndham Boutique Hotel / High-Rise Residential project.



CLAIRE L. FLYNN, AICP
Principal Planner



DONALD D. LAMM, AICP
Deputy City Mgr./Dev. Svs. Director



MARC PUCKETT
Finance Director

Attachment: 1. Refund Request Form

cc: City Manager
Asst. City Manager
City Attorney
Finance Director
Public Services Director
City Clerk (2)
Staff (4)
File (2)

Jason Korengold
Makar Bay North Costa Mesa, LLC
4100 MacArthur Blvd., Suite 200
Newport Beach, CA 92660

CITY OF COSTA MESA
REFUND REQUEST FORM

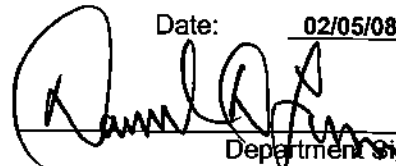
From: ☐ Finance
☐ Building Safety
☒ Planning
☐ Public Services
☐ Community Services
☐ Other _____

Vendor #: _____

Permit #: P.O. #699-1191

Amount: \$ 92,923.19

Date: 02/05/08

 2/5/08
Department Signature

Account	Fund	Organization	Program	Project/Grant	Amount
215520	701				\$92,923.19

Name and address of applicant: Makar Bay North Costa Mesa, LLC

4100 MacArthur Blvd., Suite 200

Newport Beach, CA 92660

Phone: (949) 255-1100 Howard Zelefsky


Applicant's Signature

2/5/08
Date

REASON FOR REFUND:

Partial refund for the completed EIR of Wyndham Hotel/Hi-Rise Residential project (3350 Avenue of the Arts - Costa Mesa)

for City of Costa Mesa
on behalf of applicants
TRUST FUND.

APPROVALS:

Finance: 

City Manager: _____

ENVIRONMENTAL CONSULTING ACCOUNT NO. 215520-FUND 701
 Bonterra Consulting Contract for Wyndham Boutique Hotel

CONTRACT \$ 234,545.00

	Invoices	Previously Billed	Balance
March 2007	\$ 2,085.71	\$ -	\$ 232,459.29
April	\$ 16,685.39	\$ 2,085.71	\$ 215,773.90
May	\$ 54,746.40	\$ 18,771.10	\$ 161,027.50
July	\$ 35,740.24	\$ 73,517.50	\$ 125,287.26
August	\$ 5,891.64	\$ 109,257.74	\$ 119,395.62
Sept	\$ 14,761.83	\$ 115,149.38	\$ 104,633.79
Oct	\$ 2,471.49	\$ 129,911.21	\$ 102,162.30
Nov	\$ 691.13	\$ 132,382.70	\$ 101,471.17
Dec/Jan 2008	\$ 8,547.98		
TOTAL	\$ 141,621.81		\$ 92,923.19